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EXAMINER

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ART UNIT PAPER NUMBER

2154

DATE MAILED: 04/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	09/804,074		JOHNSON ET AL.	
	Examiner		Art Unit	
	Mohammad A. Siddiqi		2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-59 and 61-66 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-59 and 61-66 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-14, 15-58, 59, and 61-66 are presented for examination.

Claim 15 has been canceled. Claims 61-66 are new. Claim 60 is missing.

2. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not). Claim 60 is missing renumbering of claims 61-66 is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-14, 15-58, 59 and 61-66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eintracht et al. (6,687,878) (hereinafter Eintracht) in view of Rivette et al. (6,877,137) (hereinafter Rivette).

5. As per claims 1 and 23, Eintracht discloses a computer-implemented method of network collaboration through embedded annotation (URL associated with the document, col 4, lines 13-25) and rendering instructions to generate, transmit, and render collaborative content, the method comprising the steps (fig 1C, col 2, lines 1-27; lines 41-46; lines 56-65) of: generating by an originator client workstation a collaborative content including a base document (col 12, lines 46-67) having a document identifier (URL address, col 12, lines 15-30) that identifies a location of a content (URL address, col 12, lines 15-30, lines 46-67); and at least one collaborative content element (col 2, lines 40-46) **Eintracht** explicitly does not disclose that comprises at least one annotation therein and rendering instruction therefore so as to annotate said base document by embedding said at least one annotation and instructions therefore as an encoded representation of collaborative content and forwarding the collaborative content to a server for execution rendering by a server said collaborative content element to said base document in accordance with rendering instruction, and providing said collaborative content to said originator client

workstation for display. However, Rivette discloses at least one annotation therein and rendering instruction therefore so as to annotate said base document by embedding said at least one annotation (attaching annotations to data object, col 7, lines 45-47) and instructions therefore as an encoded representation of collaborative (group thinking implementing by using bi-directional link, col 8, lines 13-30; col 18, lines 12-24) content and forwarding the collaborative content to a server for execution rendering by a server said collaborative content element to said base document in accordance with rendering instruction (the limitation is satisfied by using COM compliant application using Object Linking Embedded, and , fig 5, fig 7A-7f, col 7, lines 45-67 and col 8, lines 1-12), and providing said collaborative content to said originator client workstation for display (fig 23, col 15, lines 58-67; col 16, lines 1-10). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Eintracht and Rivette. The motivation would have been developing a system for enabling the organization and recordation of a person or group's thinking, work product and data objects collected or generated during a project or task.

6. As per claims 2 and 24, claims are rejected for the same reasons as claim 1, above. In addition, Rivette discloses further comprising the steps of:

annotating said collaborative content (web pages, col 10, lines 6-21) by adding another collaborative content element (expert links sub-note, col 10, lines 13-21).

7. As per claims 3 and 25, claims are rejected for the same reasons as claim 1, above. In addition, Eintracht discloses wherein said annotating step comprises presenting annotation options to said client workstation (client, col 2, lines 41-46).

8. As per claims 4 and 26, claims are rejected for the same reasons as claim 1, above. In addition, Eintracht discloses wherein said annotating step comprises inputting a text element to name said collaborative content element (col 15, lines 10-14).

9. As per claims 5 and 27, claims are rejected for the same reasons as claim 1, above. In addition, Rivette discloses wherein said annotating steps comprises inputting at least one of a symbol, shape and a text input element to generate text as said collaborative element (col 16, lines 24-32).

10. As per claims 6 and 28, claims are rejected for the same reasons as claim 1, above. In addition, Eintracht discloses wherein said annotating steps

comprises providing a visual cue to indicate the state of said collaborative content (col 2, lines 65-67).

11. As per claims 7 and 29, claims are rejected for the same reasons as claim 1, above. In addition, Eintracht discloses wherein said visual cue comprises at least one of a marker, cursor, icon, and marquee box (col 7, lines 1-17).

12. As per claims 8 and 30, claims are rejected for the same reasons as claim 1, above. In addition, Rivette discloses wherein said transmitting step is initiated by a user selecting a visual element to transmit said collaborative content subsequent to said collaborative content being saved (col 3, lines 38-50; col 11, lines 55-65, Note engine manages notes and it enables user to create, modify and delete).

13. As per claims 9 and 31, claims are rejected for the same reasons as claim 1, above. In addition, Eintracht discloses wherein said client workstation includes at least one of a personal computer equipped with internet browser software, a mobile communication device with a graphical or textual display, and a personal digital assistant equipped with a hypertext viewer (col 2, lines 34-40).

14. As per claims 10 and 32, claims are rejected for the same reasons as claim 1, above. In addition, Eintracht discloses wherein said client workstation includes a program execution capability comprising: an interpreted software program (Java, col 9, lines 26-32); a compiled software program (Java, col 9, lines 26-32); and a software program executed by a virtual machine (Java, col 9, lines 26-32).

15. As per claims 11 and 33, claims are rejected for the same reasons as claim 1, above. In addition, Eintracht discloses wherein said transmitting step is performed using a messaging system (fig 3, col 7, lines 24-52).

16. As per claims 12 and 34, claims are rejected for the same reasons as claim 1, above. In addition, Eintracht discloses wherein said messaging system includes at least one of:
an electronic mail system (fig 3, col 7, lines 24-52); an electronic news or bulletin-board system (members of the group, col 1, lines 26-36); and a mobile paging system (messaging system, fig 3, col 7, lines 24-52).

17. As per claims 13 and 35, claims are rejected for the same reasons as claim 1, above. In addition, Eintracht discloses wherein said transmitting step is performed using a transport mechanism including at least one of:
an internet protocol (col 9, lines 24-60, col 10, lines 28-39);
a wireless protocol (URL, col 9, lines 24-60, col 10, lines 28-39);
a synchronous messaging protocol (URL, col 9, lines 24-60, col 10, lines 28-39, col 2, lines 9-67); and
an asynchronous messaging protocol (URL, col 9, lines 24-60, col 10, lines 28-39, col 2, lines 9-67).

18. As per claims 14 and 36, claims are rejected for the same reasons as claim 1, above. In addition, Rivette discloses wherein said network is a peer-to-peer network, and the rendering step is performed on a server portion of said originator client workstation in said peer-to-peer network (fig 6, col 15, lines 25-46).

19. As per claim 16, claim is rejected for the same reasons as claim 1, above. In addition, Eintracht discloses wherein the collaborative content transmitted in said transmitting step includes a URL and rendering instructions (col 4, lines 53-58).

20. As per claim 38, claim is rejected for the same reasons as claims 1 and 23, above. In addition, Eintracht discloses the collaborative content transmitted includes a URL comprising the embedded annotation and rendering instructions (associated term is anticipates embedded in the context of the invention, for example URL associated with the document anticipates embedded in the document, col 2, lines 8-11; col 4, lines 13-25).

21. As per claim 39, claim is rejected for the same reasons as claims 1 and 23, above. In addition, Eintracht discloses wherein said sequences of instructions include at least one of a client-side scripting language (page description language, col 6, lines 31—54).

22. As per claim 40, claim is rejected for the same reasons as claims 1 and 23, above. In addition, Eintracht discloses wherein said sequences of instructions include at least one of Javascript and dynamic HTML (page description language, col 6, lines 31-54, col, col 9, line 28-30).

23. As per claim 17, claim is rejected for the same reasons as claim 1, above. In addition, Eintracht discloses a web browser software for displaying a collaborative content (browser, col 2, lines 47-49) in accordance with

rendering instructions therefor, said collaborative content including a base document (collaborative document, col 2, lines 9-11)

generating at least one collaborative content element on the collaborative content displayed in said web browser software and transmitting the at least one collaborative content element (fig 2-3, col 2, lines 16-27, col 7, lines 24-44).

24. As per claim 18, claim is rejected for the same reasons as claim 17, above. In addition, Eintracht discloses wherein said graphical collaboration tool includes a toolbar (col 7, lines 24-44).

25. As per claim 19, claim is rejected for the same reasons as claim 17, above. In addition, Eintracht discloses wherein said toolbar includes an add circle tool, an add rectangle tool, an add arrow tool, an add text tool, and an add text highlight tool (col 7, lines 24-44, col 17, lines 45-55).

26. As per claim 20, claim is rejected for the same reasons as claim 17, above. In addition, Eintracht discloses wherein said graphical collaboration tool includes a collaborative content element name entry field (col 7, lines 24-44, col 17, lines 18-67).

27. As per claim 21, claim is rejected for the same reasons as claim 17, above. In addition, Eintracht discloses wherein said web browser software, said graphical collaboration tool, and said server process execute on the same computer system (col 7, lines 24-35).

28. As per claim 22, claim is rejected for the same reasons as claim 17, above. In addition, Eintracht discloses wherein said web browser software, said graphical collaboration tool, and said server process each execute on a separate computer system (fig 2-3, col 7, lines 24 -51).

29. As per claim 41, claim is rejected for the same reasons as claim 17, above. In addition, Eintracht discloses graphical collaboration tool is downloaded from a server (plug-in, fig 3, col 7, lines 24-43).

30. As per claim 42, claim is rejected for the same reasons as claim 41, above. In addition, Eintracht discloses wherein said collaborative content is referencable by a URL (col 4, lines 13-37).

31. As per claim 43, claim is rejected for the same reasons as claim 41, above. In addition, Eintracht discloses wherein said graphical collaboration

tool includes a client-side scripting language (page description language, col 6, lines 31-54).

32. As per claim 44, claim is rejected for the same reasons as claim 41, above. In addition, Eintracht discloses wherein said graphical collaboration tool includes at least one of Javascript and dynamic HTML (page description language, col 6, lines 31-54).

33. As per claim 45, claim is rejected for the same reasons as claim 41, above. In addition, Eintracht discloses wherein said collaborative content includes a URL of the base document and a representation of the collaborative content element (fig 5, col 4, lines 13-38).

34. As per claim 46, claim is rejected for the same reasons as claim 41, above. In addition, Eintracht discloses wherein said graphical collaboration tool, in response to a user manipulating said graphical collaboration tool to add a collaborative content element, transmits a representation of the collaborative content element and the URL of said collaborative content to a server and receives from the server said collaborative content including the added collaborative content element (see abstract, fig 5, col, lines 31-54).

35. As per claim 47, claim is rejected for the same reasons as claim 41, above. In addition, Eintracht discloses wherein said graphical collaboration tool, in response to a user manipulating said graphical collaboration tool to modify a collaborative content element, transmits a representation of the collaborative content element and the URL of said collaborative content to a server and receives from the server said collaborative content including the modified collaborative content element (see abstract, fig 5, col 6, lines 31-54).

36. As per claim 48, claim is rejected for the same reasons as claim 41, above. In addition, Eintracht discloses wherein said graphical collaboration tool includes a toolbar (Graphical user interface, col 6, lines 31-54).

37. As per claim 49, claim is rejected for the same reasons as claim 41, above. In addition, Eintracht discloses wherein the toolbar includes an add circle tool, an add rectangle tool, an add arrow tool, an add text tool, and an add text highlight tool (col 17, lines 45-64).

38. As per claim 50, claim is rejected for the same reasons as claim 41, above. In addition, Eintracht discloses wherein the toolbar includes a collaborative content element name entry field (col 17, lines 17-19).

39. As per claim 51, Eintracht discloses wherein said collaborative content received from the server includes an HTML page (col 6, lines 31-54, col 5, line 40).

40. As per claim 52, claim is rejected for the same reasons as claim 41, above. In addition, Eintracht discloses wherein said collaborative content received from the server includes an HTML page (col 6, lines 31-54, col 5, line 40).

41. As per claim 53, the claim is rejected for the same reasons as claim 17, above.

42. As per claim 54, claim is rejected for the same reasons as claim 53, above. In addition, Eintracht discloses wherein said collaborative content is referencable by a URL (col 4, lines 13-37).

43. As per claim 55, claim is rejected for the same reasons as claim 53, above. In addition, Eintracht discloses wherein said server process is a CGI script (col 30, lines 31-54).

44. As per claim 56, claim is rejected for the same reasons as claim 53, above. In addition, Eintracht discloses wherein said collaborative content includes a URL of a base document and a representation of a collaborative content element (col 4, lines 13-37).

45. As per claim 57, claim is rejected for the same reasons as claim 53, above. In addition, Eintracht discloses wherein said server process executes on a client workstation of a user (col 2, lines 34-67).

46. As per claim 58, claim is rejected for the same reasons as claim 53, above. In addition, Eintracht discloses wherein said collaborative content transmitted in response to a user request includes an HTML page (col 6, lines 31-54, col 5, line 40).

47. As per claim 59, claim is rejected for the same reasons as claim 1, above. In addition, Rivette discloses transmitting between said originator client workstation and at least one receiver client workstation a document identifier having said rendering instructions embedded therein and comprising said collaborative content (see discussion of Com Object, fig 7A-7I, col 14, lines 58-67).

48. As per claim 61 , claim is rejected for the same reasons as claim 1, above. In addition, Rivette discloses of annotating said collaborative content by adding another collaborative content element by said at least one receiver client workstation (col 7 , lines 45-67, col 22, lines 1-15).

49. As per claim 62, claim is rejected for the same reasons as claim 1, above. In addition, Eintracht discloses the document identifier comprises a Universal Resource Locator (URI) (col 12, lines 15-40).

50. As per claim 63, claim is rejected for the same reasons as claim 1, above. In addition, Rivette discloses the document identifier comprises a Hypertext Markup Language (col 12, lines 12, lines 33-57).

51. As per claim 64, claim is rejected for the same reasons as claim 63, above.

52. As per claim 65, claim is rejected for the same reasons as claim 23, above. In addition, Rivette discloses adapted for transmitting the collaborative content and rendering instructions therefore between client workstations (elements of fig 5, col 7, lines 45-67, col 8, lines 1-12).

53. As per claim 66, claim is rejected for the same reasons as claim 23, above. In addition, Rivette discloses the client workstations transmit collaborative content and rendering instructions via a server (the limitation is satisfied by using COM compliant application using Object Linking Embedded, and, fig 5, fig 7A-7f, col 7, lines 45-67 and col 8, lines 1-12).

Response to Arguments

54. Applicant's arguments with respect to claims 1-14 and 15-58 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

55. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-

MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad A. Siddiqi whose telephone number is (571) 272-3976. The examiner can normally be reached on Monday -Thursday.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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